

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 4:25-MJ-8148 SRW
)
ELIAS GUEVARA-MORALES,)
)
Defendant.)

MOTION FOR PRE-TRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Colleen Lang, Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the Government states as follows:

1. Defendant is charged with Unlawful Re-entry into the United States by a Removed Alien, in violation of Title 8, United States Code, Section 1326.

2. The facts are as follows: The Defendant was stopped by Arnold, Missouri Police on April 3, 2025, for a traffic violation (following too close). The Defendant then provided a fake name to the police officer. After fingerprinting, his true identity was revealed. The Defendant is a Mexican national that has been removed from the United States twice before.

3. The defendant has criminal history, including:

a. On March 24, 2013, the Defendant was arrested by the Indiana State Police and charged with Operating a Vehicle While Intoxicated (OWI) Endangering a Person, OWI with BAC 0.08 - 0.15, False Government Identification, and Knowingly or Intentionally Operating Motor Vehicle without Receiving a License. On 01/09/2014 Subject was found guilty upon plea of OWI Endangering a Person and was sentenced to 60 days jail and 363 days probation.

b. On February 11, 2018, the Defendant was arrested in Jackson County Indiana and charged with Knowingly or Intentionally Operating Motor Vehicle without Receiving a License. On 04/04/2018 Subject was found guilty upon plea and sentenced to 60 days jail and 365 days probation.

c. On July 17, 2019, the Defendant was arrested by the Seymour, Indiana Police Department and charged with OWI, False Informing, and Knowingly or Intentionally Operating Motor Vehicle without Receiving a License. The disposition of this case is unknown.

d. On April 9, 2020, the Defendant was charged with 8 USC 1326 – illegal re-entry, but the charges were eventually dismissed.

e. On February 8, 2021, the Defendant was arrested for operating a vehicle while intoxicated by the Jackson County, Indiana Sheriff's Department.

f. On November 20, 2022, the Defendant was arrested by the Seymour, Indiana Police Department for Possession of Cocaine, Dealing in Cocaine, Identity Deception, and Operating a vehicle without a license. The Defendant was found guilty of possession of cocaine, a felony.

4. Further the Defendant has two active warrants: (1) one from Jackson County, Indiana for a probation violation related to the possession of controlled substance and (2) from the Jennings County Sheriff's Office in Indiana to failing to appear on a probation violation for a underlying domestic battery case.

5. Pursuant to Title 18, United States Code, Section 3142(g),

(a) the weight of the evidence against the Defendant - the Defendant is currently in the Eastern District of Missouri after having been removed from this country twice before. His presence in our country is unlawful;

(b) defendant's history and characteristics - the Defendant is a citizen of Mexico and has no legal status in this country. While in the United States, the Defendant has committed crimes including possession of controlled substance and driving while intoxicated.

(c) These factors warrant Defendant's detention pending trial.

(d) Further since the Defendant is not a U.S. citizen and is not lawfully in the U.S., he is serious flight risk.

WHEREFORE, there are no conditions or combination of conditions that will reasonably assure defendant's appearance as required and the safety of any other person and the community and the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING
UNITED STATES ATTORNEY

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